

Message Text

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ORIGIN COME-00

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RPE

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FM SECSTATE WASHDC

TO AMEMBASSY LONDON PRIORITY

UNCLAS STATE 049517

EXCON

E.O. 11652: N/A

TAGS: ESTC, UK

SUBJECT: INFOMAG

FOR UNDERWOOD CUSTOMS ATTACHE

1. TO CONFIRM TELCOM OF MARCH 5, FOLLOWING TEXT FROM LETTER DATED MARCH 3, 1975, FROM JOHN L. MURPHY, CHIEF REGULATION SECTION CRIMINAL DIVISION, DEPT. OF JUSTICE, SHOULD BE CONVEYED BY LETTER TO HOLDEN:

2. "MR. HOLDEN SHOULD BE REMINDED THAT THE UNITED STATES HAS ALREADY ASSURED HIM THAT HE WOULD BE NEEDED ONLY AS A WITNESS, AND THAT THE GOVERNMENT HAS NO INTENTION OF INSTITUTING CRIMINAL PROCEEDINGS AGAINST HIM. HE SHOULD BE ADVISED THAT THESE ASSURANCES OUGHT TO BE SUFFICIENT, SINCE THEY ARE BINDING ON THE GOVERNMENT EVEN IN THE ABSENCE OF FORMAL PROCEEDINGS UNDER THE IMMUNITY STATUTES. HE MAY BE ADVISED, HOWEVER, THAT IN THE EVENT HIS TESTIMONY IS NEEDED BY A GRAND JURY OR A COURT, AND HE IS NOT SATISFIED WITH THE ASSURANCES GIVEN HIM, APPLICATION TO A COURT WILL BE MADE UNDER THOSE STATUTES FOR AN APPROPRIATE COURT

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ORDER. HE MAY BE TOLD THAT IF SUCH AN ORDER IS OBTAINED,

HIS TESTIMONY, OR ANY INFORMATION DIRECTLY OR INDIRECTLY
DERIVED FROM HIS TESTIMONY, COULD NOT BE USED AGAINST HIM
IN ANY CRIMINAL CASE, EXCEPT FRO PERJURY, GIVING A FALSE
STATEMENT, OR OTHERWISE FAILING TO COMPLY WITH THE ORDER".

3. IN ADDITION, HOLDEN SHOULD BE INFORMED THAT THE
IMMUNITY REFERRED TO IN THE ABOVE LETTER WOULD ALSO EX-
TEND TO HOLDEN PERSONALLY IN ANY ADMINISTRATIVE HEARING
WHICH MAY BE HELD BY THE DEPARTMENT OF COMMERCE. INGERSOLL

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Margaret P. Grafeld
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